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PATENT**REMARKS:**

In response to the Office Action mailed may 20, 2005, claims 11-27 have been canceled without prejudice, and new claims 28-39 have been added, in order to more particularly claim the subject matter of the present application.

In the Office Action, claims 1-3 and 7 were rejected under 35 U.S.C. § 102(b) as anticipated by published application no. US 2002/0180246 ("the Nagashima et al. reference"), and claims 4-6 and 9 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Nagashima et al. reference in view of U.S. Patent No. 6,568,748 ("the Yoon reference").

Because neither of the cited references, either alone or in combination, discloses, teaches, or suggests the subject matter of the present claims, the rejections should be withdrawn.

First, Applicants appreciate the Examiner's indication that claims 8 and 10 would be allowable if rewritten in independent form. Claims 8 and 10 will be dealt with once the final status of the application has been determined.

With respect to the § 102(b) rejections, the Nagashima et al. reference discloses roof molding 8 that is an extrusion-molded product by an elastic member such as rubber. (¶ 18). Because the Nagashima et al. molding is an extrusion, it has "the same cross sectional shape along the longitudinal direction of the vehicle." (¶ 18). The molding includes main lips 13 that are formed to be sufficiently longer than a distance between the left wall portion 6 and the right wall portion 7 of the roof ditch 2. (¶ 20). The main lips 13 elastically contact with both the left wall portion 6 and the right wall portion 7 in a state of being deflected upward. (¶ 20). Thus, the Nagashima et al. reference merely discloses a specific configuration of rubber molding that is pressed into a roof ditch such that the main lips are deflected between the walls of the ditch to secure the molding in the ditch.

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Turning to the present claims, claim 1 recites an apparatus for covering a seam extending between first and second panels of a vehicle, the first and second panels comprising opposing shoulders adjacent the seam at least partially defining a ditch having a width and a height that includes: an elongate section of molding comprising first and second ends, an upper surface comprising a desired aesthetic finish for the vehicle, and a lower surface; and a plurality of mounts extending from the lower surface and spaced apart from one another between the first and second ends of the molding, each mount comprising a width less than the width of the ditch such that the mount may be secured in the ditch to the vehicle, each mount comprising a height such that, when the mounts are secured in the ditch, the molding extends along the ditch without touching the shoulders.

First, the Nagashima et al. reference does not disclose, teach, or suggest a plurality of mounts extending from the lower surface and spaced apart from one another between the first and second ends of the molding, as claimed. In contrast, because the Nagashima et al. molding is a continuous extrusion, the main lips are disposed adjacent one another and extend along the entire length of the disclosed molding. Thus, the main lips of the Nagashima et al. molding are not spaced apart from one another between the first and second ends, as are the recited mounts.

To further distinguish the Nagashima et al. reference, new claims 28 and 29 have been added, which recite, respectively, that the plurality of mounts include feet extending from the lower surface of the molding and that a foot is provided towards each end of a straight portion of the molding. The main lips of the Nagashima et al. molding cannot reasonably be considered to be feet extending from the lower surface of the molding. Instead, at most, the main lips of the Nagashima et al. molding extending sideways from the molding and do not provided feet, as claimed. Further, the main lips of

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the Nagashima et al. molding are not provided towards each end of a straight portion of the molding. Instead, both of the main lips extend continuously between the ends of the Nagashima et al. molding.

In addition, claim 1 recites that each mount includes a width less than the width of the ditch such that the mount may be secured in the ditch to the vehicle. In contrast, the main lips of the Nagashima et al. molding are longer than width of the ditch such that the main lips may be deflected to secure the molding within the ditch. Thus, even if the main lips of the Nagashima et al. molding were somehow considered to be mounts, they have a width that is wider than the ditch, which is necessary in order to secure the disclosed molding within the ditch. For each of these reasons, claim 1 and its dependent claims are neither anticipated nor otherwise obvious in light of the Nagashima et al. reference.

Turning to claim 9, an apparatus is recited for covering a seam extending between first and second panels of a vehicle, the first and second panels comprising opposing shoulders at least partially defining a ditch having a width and a height that includes: an elongate substantially rigid section of molding comprising first and second ends defining a longitudinal axis therebetween, an upper surface, and a lower surface; a plurality of mounts extending from the lower surface and spaced apart from one another between the first and second ends of the molding, each mount comprising a width less than the width of the ditch such that the mount may be mounted in the ditch to the vehicle, each mount comprising a height such that, when the mounts are mounted in the ditch, the molding extends along the ditch without touching the shoulders; and a roof rack member extending from the upper surface of the molding, and attached to the molding adjacent the plurality of mounts.

As explained above, the Nagashima et al. reference fails to disclose, teach, or suggest a plurality of mounts extending from the lower surface and spaced apart from one another between the

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first and second ends of the molding, each mount including a width less than the width of the ditch, as claimed. Therefore, claim 9 is also not anticipated nor otherwise obvious in light of the Nagashima et al. reference.

Turning to the Yoon reference, roof molding 200 is disclosed that includes an outer roof molding part 220 and an inner molding part 230. (Col. 3, lines 38-41). As shown in FIG. 7, the outer molding part 220 includes side extensions at the top that are engaged between the shoulders of a roof ditch to secure the roof molding within the ditch. Thus, similar to the Nagashima et al. reference, the Yoon reference fails to disclose, teach, or suggest a plurality of mounts extending from the lower surface and spaced apart from one another between the first and second ends of the molding. Further, the Yoon reference fails to teach or suggest a mount including a height such that, when the mounts are mounted in the ditch, the molding extends along the ditch without touching the shoulders. In direct contrast, the sides of the Yoon roof molding touch the shoulders of the ditch continuously along its length, which is necessary to secure the disclosed molding within a roof ditch. Because neither of the cited references discloses, teaches, or suggests these features, claims 1 and 9 are not obvious even if the Yoon reference is somehow combined with the Nagashima et al. reference.

Finally, turning to new claim 31, an apparatus is recited for covering a seam within a roof ditch extending between a roof panel and at least one side panel of a vehicle that includes: an elongate substantially rigid section of molding comprising first and second ends defining a longitudinal axis therebetween, and at least two openings extending between upper and lower surfaces thereof; and a roof rack member including at least two stanchions attached to the molding and a rail extending between the stanchions, each stanchion including an extension extending through the openings to provide a foot for attaching the molding to the roof ditch of a vehicle.

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As explained above, neither of the cited references discloses, teaches, or suggests two stanchions attached to a section of molding, each stanchion including an extension extending through openings in the molding to provide a foot for attaching the molding to the roof ditch of a vehicle. In contrast, both references merely disclose roof molding that includes side extensions that are inserted between shoulders of a roof ditch to secure the roof molding within the ditch.

Further, although the molding of the Yoon reference includes openings to allow a roof rack to be attached to the roof rack, the Yoon reference does not teach or suggest using the roof rack to attach the molding within the roof ditch. Instead, the Yoon molding is inserted and engaged within the ditch by side extensions of the molding. Thus, neither reference teaches or suggests feet for attaching the molding to the roof, as claimed. Accordingly, claim 31 and its dependent claims are neither anticipated nor otherwise obvious in light of the cited references, either alone or in combination.

In view of the foregoing, it is submitted that the claims now presented in this application define patentable subject matter over the cited prior art. Accordingly, reconsideration and allowance of the application is requested.

Respectfully submitted,  
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